

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

In re APOLLO GROUP, INC.  
SECURITIES LITIGATION

Case No.: C 06-80270 MISC PVT

**INTERIM ORDER RE DEFENDANTS'  
MOTION TO FILE DOCUMENTS  
UNDER SEAL**

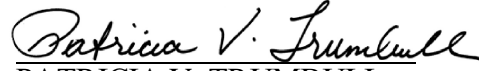
On September 20, 2006, Defendants filed an administrative motion to file under seal Exhibits T, X, Y and Z to the Declaration of Kristopher P. Diulio in Support of Defendant Apollo Group, Inc.'s Opposition to Julie Albertson's and Mary Hendow's Motion to Quash Subpoenas. Based on the motion to seal,

IT IS HEREBY ORDERED that the above-referenced documents shall be filed under seal at this time. However, such documents will be subject to a subsequent order unsealing some or all of the documents, or an order to re-file a redacted public version of those documents found by the court not to be confidential, in the event the party claiming confidentiality does not make a sufficient factual showing that sealing is warranted under Rule 26(c) of the Federal Rules of Civil Procedure.

IT IS FURTHER ORDERED that no later than October 3, 2006, any party or interested non-party claiming that any information contained in the above-referenced documents warrants sealing under Rule 26(c) shall serve and file declaration(s) from competent witnesses setting forth the specific facts that justify sealing. The factual showing must address separately each portion of the

1 materials that the party contends warrants protection. *See* CIVIL L.R. 79-5, and commentary thereto.  
2 “Broad allegations of harm, however, unsubstantiated by specific examples or articulated reasoning,  
3 do not satisfy the Rule 26(c) test.” *Beckman Indus., Inc. v. International Ins. Co.*, 966 F.2d 470, 476  
4 (9th Cir. 1992).

5 Dated: 9/26/06

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7 PATRICIA V. TRUMBULL  
United States Magistrate Judge  
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